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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/772,476	01/30/2001	Daniel Pelletier	US010007	1652

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U.S. PHILLIPS CORPORATION  
INTELLECTUAL PROPERT DEPARTMENT  
580 WHITE PLAINS ROAD  
TARRYTOWN, NY 10591

EXAMINER

SMITH, ARTHUR A

ART UNIT PAPER NUMBER

2851

DATE MAILED: 03/04/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/772,476	<b>Applicant(s)</b> PELLETIER, DANIEL	
	<b>Examiner</b> Arthur A Smith	<b>Art Unit</b> 2851	<i>AW</i>

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5,7,9 and 10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5,7,9 and 10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 January 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Applicant's arguments filed in the Appeal Brief, 12/11/03, has been fully considered.

#### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1 and 7 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Applicant has failed to provide sufficient support for the claimed limitation of "the processor further including means for receiving calibration data that defines particular operational characteristics of the stationary and remotely controlled cameras." Page 5 line 15-17 is the only place in the specification in which this limitation is mentioned and that section fails to disclose through what means the processor is able to receive the calibration data, in what form the calibration data is received, or what particular operational characteristics are included in the calibration data. Page 8 line 24 – page 9 line 1 of the Applicant's Appeal Brief set forth that the operational characteristics could include aligning the views of the cameras using the optical flow techniques. However, such an example of the operational characteristics is not set forth or disclosed in the specification. Page 9 lines 1-3 states that the

operational characteristics of the cameras cannot be considered the operational characteristics of the cameras cannot be considered the control signal for operating the cameras, however, such a statement cannot be made if the operational characteristics were never defined in the specification.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-5, 7, 9 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Nayar (WO 99/45511), supplied by Applicant.

In reference to claims 1 and 7, Nayar discloses a camera system, the system comprising: a stationary camera, ref. 10, having a wide angle view, page 10 line 8; a remotely controllable camera, ref. 20, having a relatively smaller angle view for providing images in substantially full resolution, page 10 lines 9-13; and a processor, ref. 40, for monitoring the wide angle view of the stationary camera, page 11 lines 19-20, enabling selection of a desired subject within the wide angle view, page 10 lines 26-27 and page 11 lines 21-24, generating an electronic pan-tilt-zoom view of the desired subject based on the wide angle view of the stationary camera, page 12 lines 9-24, controlling the remotely controllable camera for providing a view that overlaps the electronic pan-tilt-zoom view of the desired subject, page 10 line 28 - page 11 line 2 and page 11 lines 27-29; processing the electronic pan-tilt-zoom view of the desired subject in accordance with the resolution of the remotely controllable camera, page 11 line 27 -

page 12 line 1; and providing calibration data that defines particular operational characteristics of the stationary and remotely controlled cameras, page 11 lines 27-29.

In reference to claim 2, Nayar discloses wherein the stationary camera comprises a electronic-pan-tilt-zoom camera, page 12 lines 9-24. This section discusses generally how the translation of the wide angle image disclosed is translated into an image that can be easily discerned by a human being through electronic-pan-tilt-zoom functions.

In reference to claim 3, Nayar discloses wherein the remotely controlled camera comprises a mechanical-pan-tilt-zoom camera, page 10 lines 13-25.

In reference to claim 4, Nayar discloses wherein the processor comprises a computer, ref. 40.

In reference to claims 5 and 9, Nayar discloses wherein the camera system further includes means for displaying the substantially full resolution and the processed view of the desired subject, page 11 lines 19-20.

In reference to claim 10, Nayar discloses wherein the selecting step comprises the step of generating pixel data defining the desired subject within the wide angle view, page 14 line 12 - page 15 line 3.

### ***Response to Arguments***

In view of the Appeal Brief filed on 12/11/03, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Upon further consideration of Applicant's arguments in the Appeal Brief, a new ground(s) of rejection is made in view of 35 USC 112 1<sup>st</sup> paragraph. The Applicant has argued in the Appeal Brief that the calibration data disclosed in Nayar and Sargeant are different than the claimed calibration data. However, there is insufficient description of the Applicant's claimed calibration data in the specification for the Examiner to determine what that calibration is comprised of or how that calibration data is received.

### ***Conclusion***

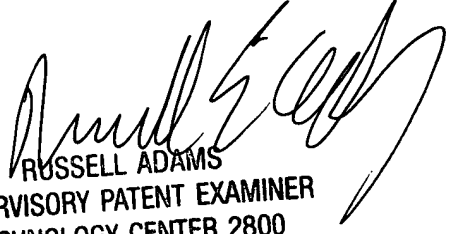
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur A Smith whose telephone number is (571) 272 2129. The examiner can normally be reached on Monday - Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays during the same hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Russ Adams can be reached on 571-272-2112. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2851

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AAS  
February 24, 2004

  
RUSSELL ADAMS  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800